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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/896,231

06/29/2001

Arturo A. Rodriguez

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62658

7590

02/28/2011

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EXAMINER

CHAE, KYU

ART UNIT

PAPER NUMBER

2426

MAIL DATE

DELIVERY MODE

02/28/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

09/896,231

Examiner

KYU CHAE

Applicant(s)

RODRIGUEZ ET AL.

Art Unit

2426

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to IDS filed on 1/19/2011 and 1/31/2011.
2. ☒ The allowed claim(s) is/are 75,77-79,82,84-92 and 95-99 renumbered as 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/KYU CHAE/  
Examiner, Art Unit 2426

/Joseph P. Hirl/  
Supervisory Patent Examiner, Art Unit 2426  
February 24, 2011

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 1/19/2011 and 1/31/2011.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 1/19/2011 and 1/31/2011 was filed after the mailing date of the Notice of Allowance on 12/23/2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Reasons for Allowance***

2. Claims 75, 77-79, 82, 84-92 and 95-99 are considered allowable since when reading the claims in light of the specification (MPEP § 2111.01) or *In re Sneed*, 710 F.2 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claim 75, wherein the Applicant discloses wherein the first GUI further comprises a price window having a monetary value that varies depending on which of the selectable first or second options of the download option list is selected, the price window comprising a field within the first GUI.

The closest prior art of *Hoang* (U.S. Patent No. 6,557,030 B1), discloses a system and method for providing video on demand services for broadcasting system. The DOD system includes central controlling server, a central storage and a plurality of channel servers. When access is granted, the decoder decodes data blocks to transform into images displayable on an output screen, where the decoder supports commands for a

subscribing client. The DOD interactive features permit a client to select at any time an available data file.

The prior art of *Kusaba* (U.S. Patent No. 6,510,556 B1), discloses a video distribution apparatus for storing video data and distributing it to a viewer has a memory for video data and a schedule table for holding a distribution schedule of the stored video data. A controller controls the distribution of the stored video data. A reservation request includes a title of the video data to be distributed, a channel to be used for distribution of the video data of the title, and information to designate a time to start the distribution.

The prior art of *Lett* (U.S. Patent No. 5,592,551 A), discloses a television system that includes an electronic program guide giving a schedule of programs available on the television system including pay-per-view and video-on-demand programs. The user may select programs for watching or recoding directly from the electronic program guide, where the selected programs may include pay-per-view and video-on-demand programs, which may be purchased directly from the guide.

The prior art of *Hicks* (U.S. Pub. No. 2004/0261112 A1), discloses multimedia on demand services that can be provided by automatic downloading of selections of multimedia content items to a mass storage device. A user can select usage (e.g. playing, purchasing) of the locally stored multimedia content items, and that usage can be reported to the multimedia on demand service provider.

However, none of the references alone or in combination teach wherein the first GUI further comprises a price window having a monetary value that varies depending

on which of the selectable first or second options of the download option list is selected, the price window comprising a field within the first GUI.

Inter alia, independent claim 92, wherein the Applicant discloses providing a download option list and a price window in the first GUI, the download option list comprising the download options, a monetary value in the price window differing depending on which of the plurality of download options are selected, the price window comprising a field within the first GUI, is allowed for reasons similar to those cited above.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Correspondence Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYU CHAE whose telephone number is (571)270-5696. The examiner can normally be reached on Mon-Fri, 8 a.m. - 5 p.m.; EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH HIRL can be reached on (571)272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2426

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. C./

Examiner, Art Unit 2426

/Joseph P. Hirl/

Supervisory Patent Examiner, Art Unit 2426

February 24, 2011